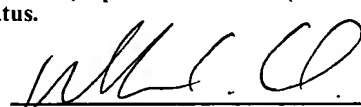


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| FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>(REV. 11-2000)   |  | ATTORNEY'S DOCKET NUMBER<br><b>510.1114</b>                                   |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES</b><br><b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b><br><b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |  | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br>To be assigned <b>10/525450</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/DE2003/002844</b>  | INTERNATIONAL FILING DATE<br><b>26 August 2003</b> | PRIORITY DATE CLAIMED<br><b>31 August 2002</b>                                |
| TITLE OF INVENTION<br><b>FUEL CELL WITH A REGULATED OUTPUT</b>   |  |   |
| APPLICANT(S) FOR DO/EO/US<br><b>Markus WALTER</b>  |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p><b>Items 13 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. <u>EV 319 077 225 US</u></li> <li>23. <input checked="" type="checkbox"/> Other items or information:<br/> <b>Letter re. Priority, Certificate of Express Mailing, Return Receipt Postcard</b> </li> </ol> |  |   |

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|--|--|---|--|---|--|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53)<br><b>10/525450</b> |  | INTERNATIONAL APPLICATION NO.<br><b>PCT/DE2003/002844</b> |  | ATTORNEY'S DOCKET NUMBER<br><b>510.1114</b> |  |
|--|--|---|--|---|--|

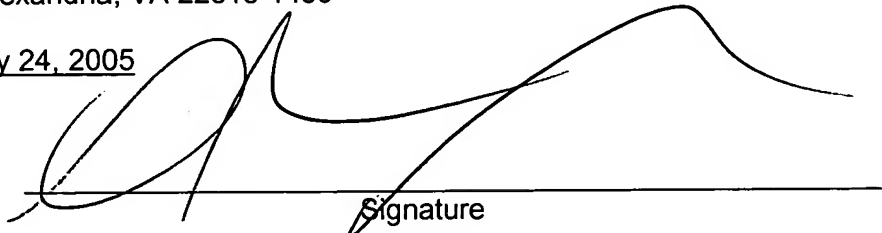
| <p>24. The following fees are submitted:</p> <p><i>Basic national stage fee: \$300.00</i><br/> <i>National stage search fee: \$400.00</i><br/> <i>National stage examination fee: \$200.00</i></p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b></p> <p><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b></p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b></p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b></p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b></p> <p><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b></p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p> <p>Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:25%;">NUMBER FILED</th> <th style="width:25%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>17 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td><b>\$0.00</b></td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$86.00</td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="4">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$900.00</b></td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL =</b></td> <td><b>\$900.00</b></td> </tr> <tr> <td colspan="4">Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).</td> <td><b>\$0.00</b></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td><b>\$900.00</b></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/></td> <td><b>\$40.00</b></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td><b>\$940.00</b></td> </tr> <tr> <td colspan="4"></td> <td>Amount to be: refunded \$</td> </tr> <tr> <td colspan="4"></td> <td>charged \$</td> </tr> </table> <p>a. <input checked="" type="checkbox"/> A check in the amount of <b>\$940.00</b> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>50-0552</b></p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 5px; width: 45%;"> <p><b>DAVIDSON, DAVIDSON &amp; KAPPEL, LLC</b><br/> 485 Seventh Avenue<br/> New York, NY 10018<br/> (212) 736-1940</p> </div> <div style="width: 55%; margin-top: 20px;"> <p style="text-align: center;"></p> <p>_____<br/> SIGNATURE</p> <p><b>William C. Gehris</b><br/> _____<br/> NAME</p> <p><b>38,156</b><br/> _____<br/> REGISTRATION NUMBER</p> <p><b>February 24, 2005</b><br/> _____<br/> DATE</p> </div> | CLAIMS       | NUMBER FILED | NUMBER EXTRA | RATE                      |  | Total claims | 17 - 20 = | 0 | x \$18.00 | <b>\$0.00</b> | Independent claims | 1 - 3 = | 0 | x \$86.00 | <b>\$0.00</b> | Multiple Dependent Claims (check if applicable). <input type="checkbox"/> |  |  |  | <b>\$0.00</b> | <b>TOTAL OF ABOVE CALCULATIONS =</b> |  |  |  | <b>\$900.00</b> | <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. |  |  |  | <b>\$0.00</b> | <b>SUBTOTAL =</b> |  |  |  | <b>\$900.00</b> | Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). |  |  |  | <b>\$0.00</b> | <b>TOTAL NATIONAL FEE =</b> |  |  |  | <b>\$900.00</b> | Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/> |  |  |  | <b>\$40.00</b> | <b>TOTAL FEES ENCLOSED =</b> |  |  |  | <b>\$940.00</b> |  |  |  |  | Amount to be: refunded \$ |  |  |  |  | charged \$ |
|--|--------------|--------------|--------------|---------------------------|--|--------------|-----------|---|-----------|---------------|--------------------|---------|---|-----------|---------------|---|--|--|--|---------------|--------------------------------------|--|--|--|-----------------|--|--|--|--|---------------|-------------------|--|--|--|-----------------|--|--|--|--|---------------|-----------------------------|--|--|--|-----------------|---|--|--|--|----------------|------------------------------|--|--|--|-----------------|--|--|--|--|---------------------------|--|--|--|--|------------|
| CLAIMS   | NUMBER FILED | NUMBER EXTRA | RATE         |                           |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
| Total claims   | 17 - 20 =    | 0            | x \$18.00    | <b>\$0.00</b>             |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
| Independent claims   | 1 - 3 =      | 0            | x \$86.00    | <b>\$0.00</b>             |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/>  |              |              |              | <b>\$0.00</b>             |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |              |              | <b>\$900.00</b>           |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
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| <b>SUBTOTAL =</b>  |              |              |              | <b>\$900.00</b>           |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
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| <b>TOTAL NATIONAL FEE =</b>  |              |              |              | <b>\$900.00</b>           |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>  |              |              |              | <b>\$40.00</b>            |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
| <b>TOTAL FEES ENCLOSED =</b>   |              |              |              | <b>\$940.00</b>           |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
|  |              |              |              | Amount to be: refunded \$ |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |
|  |              |              |              | charged \$                |  |              |           |   |           |               |                    |         |   |           |               |   |  |  |  |               |                                      |  |  |  |                 |  |  |  |  |               |                   |  |  |  |                 |  |  |  |  |               |                             |  |  |  |                 |   |  |  |  |                |                              |  |  |  |                 |  |  |  |  |                           |  |  |  |  |            |

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Re.: Docket No.: 510.1114  
Applicant(s): Markus WALTER  
Serial No.: To be assigned  
Invention: FUEL CELL WITH REGULATED OUTPUT  
Filing Date: Herewith as national phase of International Patent Application No. PCT/DE2003/002844,  
August 26, 2003

- Transmittal Letter to the U.S. Designated/Elected Office Concerning a Filing Under 35 U.S.C 371 (2 pages);
- Copy of Int. Patent Application PCT/DE2003/002844 w/ Int. Search Report (24 pages);
- Copy of executed Declaration and PoA (1 page);
- Recordation Form Cover and copy of executed assignment (3 pages);
- Application Data Sheet (2 pages);
- Letter re: Priority (1 page);
- Information Disclosure Statement with PTO-1449 (3 pages) and copies of cited references;
- Check for \$940.00;
- Return Receipt Postcard

This collection of information is required by 37 CFR 1.10. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.